

COMMONWEALTH OF KENTUCKY
BEFORE THE ENERGY REGULATORY COMMISSION

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In the Matter of

APPLICATION OF LOUISVILLE GAS AND)	
ELECTRIC COMPANY FOR A CERTIFICATE)	CASE NO. 8123
OF CONVENIENCE AND NECESSITY FOR A)	
GAS AND ELECTRIC FRANCHISE IN THE)	
CITY OF MINOR LANE HEIGHTS, KENTUCKY)	

O R D E R

On the 16th day of January, 1981, Louisville Gas and Electric Company filed with the Commission its Application seeking a certificate of convenience and necessity to qualify it to bid on a gas and electric franchise from the City of Minor Lane Heights, Kentucky. Under the provisions of KRS 278.020(3), no utility may apply for a franchise from any governmental agency until it has obtained a certificate of convenience and necessity from this Commission based on our finding that there is a need and demand for the service sought to be rendered.

A hearing in this matter was held in the Commission's offices at Frankfort, Kentucky on February 4, 1981.

The Commission FINDS that there is a need and demand for gas and electric service in the City of Minor Lane Heights, Kentucky. Since the Commission's authority in such matters is limited by statute to finding only whether there is a need and demand for the service sought to be rendered, no finding or determination is made as to the validity of any of the provisions of the franchise offered by said city or the manner in which any franchise fee is to be treated for rate purposes.

IT IS THEREFORE ORDERED That Louisville Gas and Electric Company be and it hereby is granted a certificate of convenience and necessity which authorizes it to bid on a gas and electric franchise in the City of Minor Lane Heights, Kentucky.

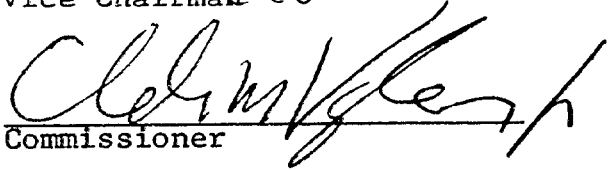
IT IS FURTHER ORDERED That Louisville Gas and Electric Company, if it becomes the successful bidder, file with this Commission a copy of the said franchise.

IT IS FURTHER ORDERED That this Order shall not be construed as granting a certificate of convenience and necessity to construct utility facilities in said city.

Done at Frankfort, Kentucky, this 26th day of February, 1981.

ENERGY REGULATORY COMMISSION


Vice Chairman


Commissioner

ATTEST:

Secretary